

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ARUN MOHANAN et al	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 22-2956
LIBERTY MUTUAL PERSONAL INSURANCE	:	
COMPANY	:	

**ORDER**

**AND NOW**, this 20th day of November, 2023, upon consideration of the Defendants' Motion to Dismiss and/or Strike Counts II, III, and IV of the Amended Complaint (ECF No. 9), and Plaintiff's response thereto, it is **ORDERED** that the Motion is **GRANTED** as follows:

1. Count II and Count IV of Plaintiffs' Amended Complaint are **DISMISSED *without prejudice***;
2. Count III is **DISMISSED *with prejudice***;
3. References to Defendant's alleged heightened duty are **STRICKEN**;
4. References to treble damages and attorneys' fees are **STRICKEN** from Count I;
5. References to treble damages, punitive damages, and attorneys' fees are **STRICKEN** from Count III;
6. References to treble damages and consequential damages are **STRICKEN** from Count IV.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/ R. Barclay Surrick  
**R. BARCLAY SURRICK, J.**